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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/521,911

09/19/2005

Stephen Charles Bartlett

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27256

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EXAMINER

BINDA, GREGORY JOHN

ART UNIT

PAPER NUMBER

3679

MAIL DATE

DELIVERY MODE

07/16/2007

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/521,911	Applicant(s) BARTLETT, STEPHEN CHARLES	
	Examiner Greg Binda	Art Unit 3679	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 June 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 27-62 is/are pending in the application.
- 4a) Of the above claim(s) 27-32, 37, 38, 42-44 and 46-62 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 33-36, 39-41 and 45 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 January 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date <u>1/20/05</u> . | 6) <input type="checkbox"/> Other: _____ |

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Election/Restrictions

1. Applicant's election without traverse of Species II shown in Fig. 2 in the reply filed on June 27, 2007 is acknowledged.
2. Claims 27-32, 37, 38, 42-44 & 46-62 are withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on June 27, 2007.

Drawings

3. The drawings are objected to because:
 - a. Figs. 1A and 1B are joined by a projection line.
 - b. Reference numeral 28 appears at page 5, line 23, but does not appear in Fig. 2.
 - c. The drawings fail to show the limitations of claim 41.
4. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the

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renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because at page 5, line 26, "heads 27" should be changed to "heads 26".

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 33-35, 39, 40 & 45 are rejected under 35 U.S.C. 102(b) as being anticipated by Landon, US 3,296,827. Landon shows a flexible coupling (col. 3, line 37) capable of transmitting torque and comprising:

a first member 11, 17 having a rotary axis and comprising at least three pins 30;

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a second member 14 comprising at least six sockets 33 formed by inserts 27; and
a third member 12, 18 having a rotary axis and comprising at least three pins 30,
wherein the first member is connected to the second member by at least three joints and
the second member is connected to the third by at least three joints, the joints being
circumferentially spaced about the axes,

wherein each joint comprises a pin 30 carried by the first or third member and a socket 33
carried by the second member, the pin registering into a socket so that torque can be transmitted
between the respective joint members and so that relative sliding and rotational movement can
take place between each pin and associated socket,

wherein the sockets of the second member are connected by flexible extensions 21 such
that the first and third members can articulate relative to one another.

8. Claims 33, 34 & 36 are rejected under 35 U.S.C. 102(b) as being anticipated by Schmidt,
US 4,804,352. Schmidt shows a flexible coupling (col. 3, line 37) capable of transmitting torque
and comprising:

a first member 15 having a rotary axis and comprising at least three pins 33, 50;
a second member 25-27 comprising at least six sockets formed by inserts 36a; and
a third member 16 having a rotary axis and comprising at least three pins 34, 50,
wherein the first member is connected to the second member by at least three joints and
the second member is connected to the third by at least three joints, the joints being
circumferentially spaced about the axes,

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wherein each joint comprises a pin carried by the first or third member and a socket carried by the second member, the pin registering into a socket so that torque can be transmitted between the respective joint members and so that relative sliding and rotational movement can take place between each pin and associated socket,

wherein the sockets of the second member are connected by flexible extensions 25-27 such that the first and third members can articulate relative to one another.

9. Claims 33-35, 39, 41 & 45 are rejected under 35 U.S.C. 102(e) as being anticipated by Ciotola, US 6,325,722. Figs. 4 & 10 show a flexible coupling capable of transmitting torque and comprising:

a first member 1 having a rotary axis and comprising at least three pins 18 having part spherical heads 23;

a second member 2 comprising at least six cylindrical sockets 12 formed by inserts 12;
and

a third member 1 having a rotary axis and comprising at least three pins 18 having part spherical heads 23,

wherein the first member is connected to the second member by at least three joints and the second member is connected to the third by at least three joints, the joints being circumferentially spaced about the axes,

wherein each joint comprises a pin 18 carried by the first or third member and a socket 12 carried by the second member, the pin registering into a socket so that torque can be transmitted

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between the respective joint members and so that relative sliding and rotational movement can take place between each pin and associated socket,

wherein the sockets of the second member are connected by flexible extensions 16 such that the first and third members can articulate relative to one another.

Conclusion

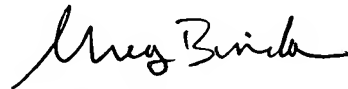
10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Harvey, Michel and Obermeier each show flexible coupling.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Greg Binda whose telephone number is (571) 272-7077. The examiner can normally be reached on M-F 9:30 am to 7:00 pm with alternate Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (571) 272-7087. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

A handwritten signature in black ink, appearing to read "Greg Binda". The signature is fluid and cursive, with the first name "Greg" and last name "Binda" clearly distinguishable.

Greg Binda
Primary Examiner
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